

## Patent and Trad mark Office

COMMISSIONER OF PATENTS AND TRADEMARKS Washington, D.C. 20231

APPLICA	TION NO.	FILING DATE	FIRST NAMED INVENTOR			ATTORNEY DOCKET NO.
09/6	26,146	07/26/00	NAKAYAMA		Т	106364
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OLIE	F & BER	RIDGE PLC	MMC.17 0007		BEREZNY, N	
	BOX 199				ART UNIT	PAPER NUMBER
ALE)	ANDRIA	VA 22320			2813	
					DATE MAILED:	08/07/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trad marks

Office Action Summary    Case   Case		Application No.	Applicant(s)					
Nema O Berezny   2813		09/626,146	NAKAYAMA, TOSHINORI					
The MAILING DATE of this communication appears on th cover sheet with the correspondence address — Period for Reply  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.  Eaderstord or time may be available under the provisions of 3 CFR 1.18(b). In ore event, however, may a reply be simely filled above the provisions of 3 CFR 1.18(b). In ore event, however, may a reply be simely filled above the provision of 3 CFR 1.18(b). In ore event, however, may a reply be simely filled above the advanced or the communication of the provision of the communication. Period of the communication of the provision of the communication	Office Action Summary	Examiner	Art Unit					
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THE MAILING DATE OF THIS COMMUNICATION.  Extracions or fire map by existing but on the provisions of 37 CFR 1.136(a). In or event, however, may a reply be timely field after 50k (g) MONTIST from the mailing date of this communication.  It is precised to the provision of the pro	··							
2a)  This action is FINAL. 2b)  This action is non-final.  3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4)  Claim(s)  1-28 is/are pending in the application.  4a) Of the above claim(s)  is/are withdrawn from consideration.  5)  Claim(s)  is/are allowed.  6)  Claim(s)  is/are rejected.  7)  Claim(s)  is/are objected to.  8)  Claim(s)  1-28 are subject to restriction and/or election requirement.  Application Papers  9)  The specification is objected to by the Examiner.  10)  The drawing(s) filed on  is/are: a)  cocepted or b)  objected to by the Examiner.  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  11)  The proposed drawing correction filed on  is: a)  approved b)  disapproved by the Examiner.  If approved, corrected drawings are required in reply to this Office action.  12)  The oath or declaration is objected to by the Examiner.  Priority under 35 U.S.C. § 119 and 120  13)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a)  All b)  Some * c)  None of:  1	<ul> <li>THE MAILING DATE OF THIS COMMUNICATION.</li> <li>Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.</li> <li>If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.</li> <li>If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.</li> <li>Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).</li> <li>Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).</li> </ul>							
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	Notice of References Cited (PTO-892)     Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) Notice of Informal						

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## **DETAILED ACTION**

## Election/Restrictions

Restriction to one of the following inventions is required under 35 U.S.C. 121:

- Claims 1-14, drawn to a substrate for a semiconductor device, classified in class 361, subclass 765.
- II. Claims 15-21, drawn to a semiconductor device, classified in class 257, subclass 678.
- III. Claims 22-28, drawn to a method of making a semiconductor device, classified in class 438, subclass 113.

The inventions are distinct, each from the other because of the following reasons:

Inventions III and I, II are related as process of making and product made. The inventions are distinct if either or both of the following can be shown: (1) that the process as claimed can be used to make other and materially different product or (2) that the product as claimed can be made by another and materially different process (MPEP § 806.05(f)). In the instant case, the semiconductor device (claims 15-21) could be made by processes other than the claimed process (claims 22-28), such as dicing the substrate first, then mounting and sealing the chip; or mounting the chip, dicing the substrate, then sealing the individual mounted chips. Invention I does not complete the semiconductor device by separating the substrate into individual semiconductor devices.

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Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.

Because these inventions are distinct for the reasons given above and the search required for Group III is not required for Group I or II, and the search required for Group II is not required for Group I, restriction for examination purposes as indicated is proper.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

## Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nema O Berezny whose telephone number is (703) 305-3445. The examiner can normally be reached on M-F 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Bowers, Jr. can be reached on (703) 308-2417. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-7722 for regular communications and (703) 308-7722 for After Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

NB July 31, 2001

Charles Bowers Supervisory Patent Examiner Technology Center 2800